

**REMARKS**

Claims 1-13, 18-33, 35-39 and 41-47 were presented for examination and all claims were rejected. In the present amendment, claims 1, 3-6, 30 and 37 have been amended. No new matter has been introduced. Upon entry of the present amendment, claims 1-13, 18-33, 35-39 and 41-47 will be currently pending in this application, of which claims 1 and 30 are independent. Claims 2-13, 18-29, 46 and 47 depend on and incorporate all the patentable subject matter of independent claim 1, as amended. Claims 31-33, 35-39 and 41-45 depend on and incorporate all the patentable subject matter of independent claim 30, as amended. Applicants submit that pending claims 1-13, 18-33, 35-39 and 41-47 are patentable and in condition for allowance.

The following comments address all stated grounds of rejection. Applicants respectfully traverse all rejections to the extent maintained over the claims as amended and urge the Examiner to pass the claims to allowance in view of the remarks set forth below.

**CLAIM REJECTIONS UNDER 35 U.S.C. §103****I. Claims 1-7, 9, 11-13, 18-24, 26, 28-33, 36, 38, 39 and 42-47 Rejected Under 35 U.S.C. § 103**

Claims 1-7, 9, 11-13, 18-24, 26, 28-33, 36, 38, 39 and 42-47 are rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent Publication No. 2003/0004950 to Wils et al. (“Wils”) in view of U.S. Patent No. 6,151,599 to Shrader et al. (“Shrader”). Claims 1 and 30 are independent claims. Claims 2-7, 9, 11-13, 18-24, 26, 28-29 depend on and incorporate all the patentable subject matter of independent claim 1, as amended. Claims 31-33, 36, 38, 39 and 42-47 depend on and incorporate all the patentable subject matter of independent claim 30, as amended. Applicants respectfully traverse the rejections to the extent maintained over the claims

as amended and submit that Wils and Shrader, alone or in combination, do not teach or suggest each and every feature of claims 1-7, 9, 11-13, 18-24, 26, 28-33, 36, 38, 39 and 42-47.

A. Independent Claims 1 and 30 Patentably Distinguished over Wils and Shrader

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. Independent claims 1 and 30, as amended, recite a client node comprising a computing environment and a collection agent gathering from the client node characteristics of the computing environment in response to a request to access a resource. These claims further recite making an access control decision granting the computing environment access to the resource based on application of a policy to the received characteristics of the computing environment. Applicants submit that Wils and Shrader, alone or in combination, fail to teach or suggest each and every feature of independent claims 1 and 30.

The combination of Wils and Shrader does not teach or suggest (i) a collection agent gathering characteristics of the client node's computing environment in response to a request to access a resource and (ii) a policy engine making an access control decision granting the computing environment access to the resource based on application of a policy to the gathered characteristics. Wils describes a system for providing access control against users (subscribers) seeking access to resources in a data center (see paragraphs [0009] and [0042]) and uses a subscriber key for user validation (see paragraphs [0009], [0045] and [0048]). Wils, however, fails to contemplate policy-based evaluation of *computing environment characteristics* gathered from a user's client node for granting access to a requested resource. Firstly, Wils' subscriber key merely identifies a user seeking access into a data center network (see paragraph [0045], lines 4-5, and [0026], lines 1-5), instead of describing computing environment characteristics of the user's client node. In fact, Wils' subscriber key is generated by a data center computer

system using “subscriber-specific attributes gleaned from the input request” (see paragraph [0026], lines 10-11 and 3-5). Thus, contrary to claims 1 and 30, neither the subscriber key nor the subscriber-specific attributes are gathered from a subscriber’s client node, by a collection agent or otherwise. The subscriber-specific attributes similarly do not describe or convey computing environment characteristics of any client node operated by a subscriber. Accordingly, Wils fails to teach or suggest gathering the characteristics as recited in claims 1 and 30.

Since Wils fails to teach or suggest gathering characteristics of a subscriber client node computing environment, Wils cannot grant access to the requested resource *based on* application of a policy to such characteristics. Wils at most describes granting access to resources based on subscriber identification and subscriber-specific privileges (see, e.g., paragraph [0048], lines 3-5 and [0050], lines 13-15), but lacks an appreciation that a client node operated by a subscriber may have computing environment characteristics that can determine access control to a requested resource. Accordingly, Wils fails to teach or suggest *granting a computing environment access* to the resource based on application of a policy to the received characteristics of the computing environment.

As with Wils, Shrader does not teach or suggest the above-mentioned features of claims 1 and 30. The Examiner cites Shrader for a client-side script feature. This feature is embedded in a test page which is loaded onto a user’s web browser for testing a security plugin of a web server (see col. 1, lines 37-41, col. 2, lines 50-52). However, rather than gathering characteristics of the *client node’s computing environment*, the test page merely gathers *user* login information, i.e., userid and password (see col. 3, lines 53-55). Thus, Shrader also lacks an appreciation for using computing environment characteristics to make policy-based access control decisions. Therefore, one of ordinary skill in the art would not be motivated to combine Wils and Shrader

for a policy-based evaluation of computing environment characteristics gathered from a user's client node for granting access to a requested resource. Accordingly, the combination of Wils and Shrader fails to teach or suggest each and every feature of the pending claims.

Since Wils and Shrader, alone or in combination, fail to teach or suggest each and every feature of claims 1 and 30, Applicants submit that independent claims 1 and 30, and dependent claims 2-7, 9, 11-13, 18-24, 26, 28, 29, 31-33, 36, 38, 39 and 42-47, are in condition for allowance. Accordingly, Applicants respectfully urge the Examiner to withdraw the rejections of claims 1-7, 9, 11-13, 18-24, 26, 28-33, 36, 38, 39 and 42-47 under 35 U.S.C. §103.

## II. Dependent Claims Rejections Under 35 U.S.C. §103

Dependent claims 8, 25, 35 and 41 are rejected under 35 U.S.C. §103(a) as unpatentable over Wils and Shrader in further view of U.S. Publication No. 2004/0073512 to Maung et al. ("Maung"). Dependent claims 10, 27 and 37 are rejected under 35 U.S.C. §103(a) as unpatentable over Wils and Shrader in view of the Examiner's Official Notice. Claims 8, 10, 25 and 27 depend on and incorporate all the patentable subject matter of independent claim 1. Claims 35, 37 and 41 depend on and incorporate all the patentable subject matter of independent claim 30. Applicants respectfully traverse these rejections and submit that Wils, Shrader, Maung and the Official Notice, alone or in combination, do not teach or suggest each and every feature of claims 8, 10, 25, 27, 35, 37 and 41.

### A. Claims 8, 10, 25, 27, 35, 37 and 41 Patentable over Wils, Shrader and Maung

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. As discussed above in connection with the rejection of claims 1 and 30, Applicants submit that claims 1 and 30 are patentable and in condition for allowance.

As with Wils and Shrader, Maung fails to teach or suggest (i) a collection agent gathering characteristics of the client node's computing environment in response to a request to access a resource and (ii) a policy engine making an access control decision granting the computing environment access to the resource based on application of a policy to the received characteristics. The Examiner cites Maung merely for a session storage feature which does not remedy the deficiencies identified in Wils and Shrader. Apart from this, Maung at most suggests that a user device may have limited capabilities to display downloaded information (see paragraph [0029], lines 16-18). Maung, however, fails to suggest gathering any related computing environment characteristics from the user device in response to an access request and making an access control decision based on application of a policy to such characteristics. Instead, the only access control decision in Maung is based on *user* authentication (see paragraph [0029], lines 12-14).

In the Office Action, the Examiner also took Official Notice that it would have been obvious to one of ordinary skill in the art at the time of the application to provide the subscriber of Wils with a user interface to select a requested server. However, the combination of the cited references with the selection of a requested server using a user interface would still fail to teach or suggest each and every feature of claims 1 and 30. In view of these and the earlier reasons, neither Maung nor the Official Notice detracts from the patentability of claims 1 and 30.

Accordingly, Applicants submit that Wils, Shrader, Maung and the Official Notice, alone or in combination, fail to teach or suggest each and every feature of independent claims 1 and 30. Therefore, Applicants submit that claims 1 and 30, and dependent claims 8, 10, 25, 27, 35, 37 and 41, are patentable and in condition for allowance. Accordingly, Applicants request the Examiner to withdraw the rejection of claims 8, 10, 25, 27, 35, 37 and 41 under U.S.C. §103.

**CONCLUSION**

In light of the aforementioned amendments and arguments, Applicants contend that each of the Examiner's rejections has been adequately addressed and all of the pending claims are in condition for allowance. Accordingly, Applicants respectfully request reconsideration, withdrawal of all grounds of rejection, and allowance of all of the pending claims.

Should the Examiner feel that a telephone conference with Applicants' attorney would expedite prosecution of this application, the Examiner is urged to contact the Applicants' attorney at the telephone number identified below.

Respectfully submitted,

CHOATE, HALL & STEWART, LLP

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/John D. Lanza/

John D. Lanza

Registration No. 40,060

Attorney for Applicants

Choate, Hall & Stewart, LLP

Two International Place

Boston, MA 02110

(617) 248-5000